



10

PATENT
Attorney Docket No. UM-06669

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael D. Uhler
Serial No.: 10/002,802
Filed: 11/02/01
Entitled: **Surface Transfection and Expression Procedure**

Group No.:
Examiner:

CERTIFICATE RE: SEQUENCE LISTING

U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, Virginia 22202

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.	
Dated: <u>July 15, 2002</u>	By: <u>Susan M. McClintock</u> Susan M. McClintock

Sir or Madam:

I hereby state that the enclosed Sequence Listing is being submitted in paper copy and on a computer-readable diskette, and that, to the best of my knowledge, the content of the paper and computer readable copies are the same.

Dated: July 15, 2002

By: Jaen Andrews
Jaen Andrews
Registration No. 35,051

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



030
Box Seq

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael D. Uhler
Serial No.: 10/002,802
Filed: 11/02/01
Entitled: Surface Transfection and Expression Procedure

Group No.:
Examiner:

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, Virginia 22202

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Dated: July 15, 2002

By: Susan M. McClintock
Susan M. McClintock

Sir or Madam:

This is responsive to the "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES," mailed May 14, 2002, and setting a two-month period for response, which ends on July 14, 2002.

The Examiner has requested that a Sequence Listing be provided. Applicants submit this Response to provide, as a separate part of the disclosure, a "Sequence Listing" pursuant to 37 C.F.R. §§ 1.821-1.825. Applicants submit herewith a substitute paper copy and a substitute floppy disk containing the Sequence Listing in computer readable form. The contents of the paper and computer readable copies are the same and include no new matter.

Please replace the Sequence Listing filed April 15, 2002, with the one attached herewith.

Dated: July 15, 2002

Jaen Andrews
Jaen Andrews
Registration No. 35,051

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/002,802	11/02/2001	Michael D. Uhler	UM-06669

Jaen Andrews
MEDLEN & CARROLL, LLP
Suite 350
101 Howard Street
San Francisco, CA 94105



CONFIRMATION NO. 3812

FORMALITIES LETTER



OC000000008108938

Date Mailed: 05/14/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

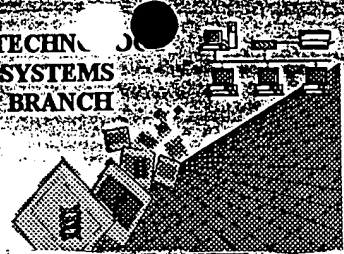
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BIOTECHNICAL
SYSTEMS
BRANCH



0570
0507

RAW SEQUENCE LISTING **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/002,802
Source: O.I.P.E.
Date Processed by STIC: 5/2/02

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



Does Not Comply
Corrected Diskette Needed

OIPE

RAW SEQUENCE LISTING

DATE: 05/02/2002

PATENT APPLICATION: US/10/002,802

TIME: 15:48:11

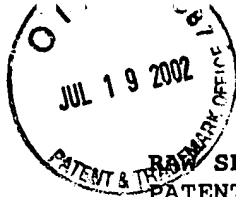
Input Set : A:\06669-1.txt

Output Set: N:\CRF3\05022002\J002802.raw

3 <110> APPLICANT: Uhler, Michael D.
 5 <120> TITLE OF INVENTION: Surface Transfection and Expression Procedure
 7 <130> FILE REFERENCE: UM-06669
 9 <140> CURRENT APPLICATION NUMBER: 10/002,802
 C--> 10 <141> CURRENT FILING DATE: 2002-04-19
 12 <150> PRIOR APPLICATION NUMBER: 60/245,892
 13 <151> PRIOR FILING DATE: 2000-11-03
 15 <150> PRIOR APPLICATION NUMBER: 60/305,552
 16 <151> PRIOR FILING DATE: 2001-07-13
 18 <150> PRIOR APPLICATION NUMBER: 09/960,454
 19 <151> PRIOR FILING DATE: 2001-09-21
 21 <160> NUMBER OF SEQ ID NOS: 22
 23 <170> SOFTWARE: PatentIn version 3.1
 25 <210> SEQ ID NO: 1
 26 <211> LENGTH: 20
 27 <212> TYPE: DNA
 28 <213> ORGANISM: PKCa phosphorothioate oligonucleotide
 30 <400> SEQUENCE: 1
 31 gttctcgctg gtgagtttca
 34 <210> SEQ ID NO: 2
 35 <211> LENGTH: 7
 36 <212> TYPE: DNA
 37 <213> ORGANISM: Transcriptional response element
 39 <400> SEQUENCE: 2
 40 tgactca
 43 <210> SEQ ID NO: 3
 44 <211> LENGTH: 8
 45 <212> TYPE: DNA
 46 <213> ORGANISM: Transcriptional response element
 48 <400> SEQUENCE: 3
 49 tgacgtca
 52 <210> SEQ ID NO: 4
 53 <211> LENGTH: 9
 54 <212> TYPE: DNA
 55 <213> ORGANISM: Transcriptional response element
 57 <400> SEQUENCE: 4
 58 gggaattcc
 61 <210> SEQ ID NO: 5
 62 <211> LENGTH: 12
 63 <212> TYPE: DNA
 64 <213> ORGANISM: Transcriptional response element
 66 <400> SEQUENCE: 5
 67 gaaactgaaa ct

The type of errors shown exist throughout
the Sequence Listing. Please check subsequent
sequences for similar errors.

Invalid response, see error
summary sheet item 10



SEQUENCE LISTING

PATENT APPLICATION: US/10/002,802

DATE: 05/02/2002

TIME: 15:48:11

Input Set : A:\06669-1.txt

Output Set: N:\CRF3\05022002\J002802.raw

```

70 <210> SEQ ID NO: 6
71 <211> LENGTH: 12
72 <212> TYPE: DNA
73 <213> ORGANISM: Transcriptional response element
75 <400> SEQUENCE: 6
76 aaactgaaac tg                                     12
79 <210> SEQ ID NO: 7
80 <211> LENGTH: 22
81 <212> TYPE: DNA
82 <213> ORGANISM: Transcriptional response element
84 <400> SEQUENCE: 7
85 agtttcatat ttactctaaa tc                         22
88 <210> SEQ ID NO: 8
89 <211> LENGTH: 29
90 <212> TYPE: DNA
91 <213> ORGANISM: Transcriptional response element
93 <400> SEQUENCE: 8
94 ggaggaaaaa ctgttcatac agaaggcgt                 29
97 <210> SEQ ID NO: 9
98 <211> LENGTH: 12
99 <212> TYPE: DNA
100 <213> ORGANISM: Transcriptional response element
102 <400> SEQUENCE: 9
103 cacgtccacg tc                                   12
106 <210> SEQ ID NO: 10
107 <211> LENGTH: 17
108 <212> TYPE: DNA
109 <213> ORGANISM: Transcriptional response element
111 <400> SEQUENCE: 10
112 cttggcggga gatagaa                             17
115 <210> SEQ ID NO: 11
116 <211> LENGTH: 8
117 <212> TYPE: DNA
118 <213> ORGANISM: Transcriptional response element
120 <400> SEQUENCE: 11
121 ccaggaag                                         8
124 <210> SEQ ID NO: 12
125 <211> LENGTH: 13
126 <212> TYPE: DNA
127 <213> ORGANISM: Transcriptional response element
129 <400> SEQUENCE: 12
130 atgcaaataa tat                                  13
133 <210> SEQ ID NO: 13
134 <211> LENGTH: 13
135 <212> TYPE: DNA
136 <213> ORGANISM: Transcriptional response element
138 <400> SEQUENCE: 13
139 ctaagtcaat aat                                  13
142 <210> SEQ ID NO: 14

```



RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/002,802

DATE: 05/02/2002

TIME: 15:48:11

Input Set : A:\06669-1.txt

Output Set: N:\CRF3\05022002\J002802.raw

```

143 <211> LENGTH: 20
144 <212> TYPE: DNA
145 <213> ORGANISM: Transcriptional response element
147 <400> SEQUENCE: 14
148 tgcagattgc gcaatctgca 20
151 <210> SEQ ID NO: 15
152 <211> LENGTH: 16
153 <212> TYPE: DNA
154 <213> ORGANISM: Transcriptional response element
156 <400> SEQUENCE: 15
157 gccagccaat gagcgc 16
160 <210> SEQ ID NO: 16
161 <211> LENGTH: 21
162 <212> TYPE: DNA
163 <213> ORGANISM: Transcriptional response element
165 <400> SEQUENCE: 16
166 cgccctcgcc cccgcgccc g 21
169 <210> SEQ ID NO: 17
170 <211> LENGTH: 13
171 <212> TYPE: DNA
172 <213> ORGANISM: Transcriptional response element
174 <400> SEQUENCE: 17
175 ccccgtgcc atc 13
178 <210> SEQ ID NO: 18
179 <211> LENGTH: 25
180 <212> TYPE: DNA
181 <213> ORGANISM: Transcriptional response element
183 <400> SEQUENCE: 18
184 gttatggcga ctatccagct ttgtg 25
187 <210> SEQ ID NO: 19
188 <211> LENGTH: 23
189 <212> TYPE: DNA
190 <213> ORGANISM: Transcriptional response element
192 <400> SEQUENCE: 19
193 gaaacccctg gaatattccc gac 23
196 <210> SEQ ID NO: 20
197 <211> LENGTH: 9
198 <212> TYPE: DNA
199 <213> ORGANISM: Transcriptional response element
201 <400> SEQUENCE: 20
202 ttcccgtaa 9
205 <210> SEQ ID NO: 21
206 <211> LENGTH: 22
207 <212> TYPE: DNA
208 <213> ORGANISM: CMV promoter
210 <400> SEQUENCE: 21
211 attacggggt cattagttca ta 22
214 <210> SEQ ID NO: 22
215 <211> LENGTH: 22

```

RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/002,802

DATE: 05/02/2002

TIME: 15:48:11

Input Set : A:\06669-1.txt

Output Set: N:\CRF3\05022002\J002802.raw

216 <212> TYPE: DNA

217 <213> ORGANISM: SV40

219 <400> SEQUENCE: 22

220 tctcgggtcta ttcttttgat tt

22

VERIFICATION SUMMARY

PATENT APPLICATION: US/10/002,802

DATE: 05/02/2002

TIME: 15:48:12

Input Set : A:\06669-1.txt

Output Set: N:\CRF3\05022002\J002802.raw

L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date